REMARKS/ARGUMENTS

The rejections presented in the Office Action dated December 26, 2007 (hereinafter Office Action) have been considered but are believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Applicant respectfully maintains the traversal of each of the prior art rejections (§§ 102(b) and 103(a)) based at least in part on the teachings of U.S. Patent No. 5,974,238 to Chase, Jr. (hereinafter "Chase") because Chase alone, or in combination, does not teach each of the claimed limitations. Specifically, Chase does not teach or suggest the use of role information which indicates whether a device should serve as a synchronization client or a sync server, as claimed in each of the independent claims. Contrary to the assertion at page two of the Office Action that a synchronization client initiates a synchronization session, it is known that a synchronization server may also trigger a synchronization session (*e.g.*, Ch. 8 "Server Alerted Sync" in the cited SyncML Sync protocol). As explained in the instant Specification (*e.g.*, paragraphs [0005] and [0014]) and in the cited SyncML Sync protocol, a sync server performs specific tasks such as maintenance of mapping tables of identifiers for data items. Chase does not teach or suggest any such synchronization architecture having specified roles of a client and a sync server. Rather, Chase is directed to a simple system of a device (either handheld or desktop computer) transmitting a modified packet to another device in response to modification of the packet without definition of a client or server role. While the asserted modified bit indicates which device initiates a synchronization session in Chase, it does not indicate any role information, as claimed. Without a presentation of correspondence to each of the claimed limitations, the prior art rejections are improper.

With particular respect to the § 102(b) rejection, Applicant notes that to anticipate a claim the asserted reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown

9

in as complete detail as is contained in the patent claim; *i.e.* every element of the claimed invention must be literally present, arranged as in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Therefore, all claim elements, and their limitations, must be found in the prior art reference to maintain the rejection based on 35 U.S.C. § 102. Applicant respectfully submits that Chase does not teach every element of independent Claims 1, 11, 13, 16 and 23 in the requisite detail and therefore fails to anticipate at least Claims 1, 3, 5, 6, 8, 9, 11, 13, 15-20, 22, 23, 25, 27, 28 and 30. Applicant accordingly requests that the rejection be withdrawn.

In addition, dependent Claims 3, 5, 6, 8, 9, 15, 17-20, 22, 25, 27, 28 and 30 depend from independent Claims 1, 11, 13, 16 and 23, respectively, and also stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Chase. While Applicant does not acquiesce to the particular rejection to these dependent claims, the rejection is also improper for the reasons discussed above in connection with the independent claims. These dependent claims include all of the limitations of the independent claims and any intervening claims, and recite additional features which further distinguish them from the cited reference. Therefore, the rejection of dependent Claims 3, 5, 6, 8, 9, 15, 17-20, 22, 25, 27, 28 and 30 is improper. Applicant accordingly requests that the § 102(b) rejection be withdrawn.

Regarding the § 103(a) rejections of the various dependent claims, Applicant further traverses because the teachings of "SyncML Sync Protocol, version 1.1.1", U.S. Patent No. 6,330,618 to Hawkins *et al.*, U.S. Patent No. 6,272,545 to Flanagin *et al.*, and U.S. Publication No. 2002/0161769 by Sutinen *et al.* do not overcome the above-discussed deficiencies in Chase and further do not teach the asserted limitations. For example, contrary to the assertions in the Office Action Flanagin *et al.* do not teach role information associated with an identifier, as claimed. The identifiers of Flanagin *et al.* make no reference to role information indicating whether a device serves as a client or a sync server. As none of the asserted references teach at least limitations directed to the use of role information, as claimed, any combination thereof must also fail to teach such limitations rendering the § 103(a) rejections of the various dependent claims improper.

Further, Chase does not appear to recognize the problem addressed by the instant application. As set forth, for example, in paragraphs [0003] and [0005] of the Specification, the claimed invention is directed to maintaining the roles of devices from one synchronization session to another when the devices have functionality to serve as both a server and a client. Chase makes no mention or suggestion that the handheld and desktop computers could serve as both a server and client and does not teach or suggest a solution for the stated problem. Moreover, the asserted use of the modified bit of Chase to modify the role of a device (*e.g.*, from a server to a client) would directly result in the problems identified in paragraph [0005] of the instant Specification. Therefore, the teachings of Chase would not render the claimed invention obvious to a skilled artisan.
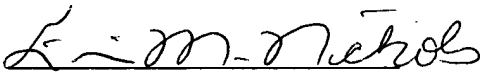
It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.061PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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11